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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,067	01/18/2001	Gavin Brebner	B-4081 618511-7	6752

7590 04/02/2004
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EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/02/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

52

Office Action Summary

Application No.

09/765,067

Applicant(s)

BREBNER, GAVIN

Examiner

Dustin Nguyen

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 17 are presented for examination.

Specification

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code, on page 10, line 5; and page 11, line 2. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 12, 13 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following terms lack antecedent basis:

- | | | | |
|-----|--------------------|---|------------------|
| I. | a transaction aid | - | claims 12 and 13 |
| II. | a computer program | - | claim 15. |

B. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: computer program product.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by Christianson et al. [US Patent No 6,102,969].

7. As per claim 16, Christianson discloses the invention substantially as claimed including a method of using DWI or WMI interfaces [i.e. I/O manager] [col 11, lines 46-67] for collecting

Art Unit: 2154

data representative of a computer profile [i.e. user preferences] [col 5, lines 19-35; and col 8, lines 47-53] for achieving an electronic business transaction [col 3, lines 7-25].

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christianson et al. [US Patent No 6,102,969], in view of Geller [US Patent No 6,199,067].

10. As per claim 1, Christianson discloses the invention substantially as claimed including process for assisting a transaction between an user and at least one remote server (3, 4), the or each remote server (3, 4) being prepared to process at least one predetermined command, said process comprising:

receiving (21) an abstract request formulated at a client computer [col 3, lines 8-11; and col 4, lines 42-44] and containing incomplete information identifying a potential transaction [col 2, lines 55-61];

analyzing (22) said abstract request and mapping it to a corresponding one of said remote server (3, 4) and to one of said predetermined command [col 7, lines 35-59 and col 8, lines 1-5];

constructing (23) an aggregating request based on said mapped command [col 8, lines 25-46];

Art Unit: 2154

transmitting (24) said aggregated request to said corresponding server (3, 4) [col 3, lines 15-16];

receiving (25) the answer from said corresponding server (3, 4) [col 3, lines 16-17] and displaying the answer to the user for completing the transaction [col 4, lines 50-53].

Christianson does not specifically disclose enriched with data extracted from a local profile (14).

Geller discloses enriched with data extracted from a local profile (14) [Abstract; and col 3, lines 61-col 4, lines 19].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Christianson and Geller because Geller's teaching of enriched with data extracted from a local profile would allow to assist a user in locating request data that is matching the user's specific request and also corresponds to the user's personal information [Geller, col 3, lines 17-23].

11. As per claim 2, Christianson discloses aggregate request conforms to the Hypertext Transfer Protocol (HTTP) [col 11, lines 1-14; and col 17, lines 61-col 18, lines 5]. Christianson does not specifically disclose contains a query string containing both information extracted from the abstract request, and data extracted from said profile (14). Geller discloses contains a query string containing both information extracted from the abstract request, and data extracted from said profile (14) [Abstract; and col 6, lines 1-22]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Christianson and Geller

Art Unit: 2154

because the teaching of Geller would allow a finer and better detail information to be presented to user according to user's need or request.

12. As per claim 3, Christianson discloses profile data that are representative of platform configuration, and are extracted from information available at the Basic Input Output System (BIOS) level [41, Figure 3; and col 11, lines 45-67].

13. As per claim 4, Christianson discloses profile data are collected by means of interrogation of standardized systems management interfaces present in the client computer [col 4, lines 53-58].

14. As per claim 5, Christianson discloses profile parameters are collected by means of an interrogation via the Distributed Management Interface (DMI) or Window Management Interface (WMI) [i.e. I/O manager] [col 11, lines 46-67].

15. As per claim 6, Christianson does not specifically disclose local profile contains data personal to a particular user. Geller discloses local profile contains data personal to a particular user [Abstract]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Christianson and Geller because Geller's disclosed of personal data would allow to filter out unnecessary information and only information that is interest to user can be displayed.

Art Unit: 2154

16. As per claim 7, Christianson discloses local agent [col 4, lines 27-33] receives the response from said corresponding server under the form of a Hypertext Markup Language (HTML) page, and pushes it to a web browser for allowing the completion of the transaction between the user and the server [col 6, lines 16-43].

17. As per claim 8, Christianson discloses regularly downloading a list of servers to which the abstract requests can be mapped thereby permitting modification of the offers that can be made to the user [col 7, lines 35-58; and col 13, lines 14-22].

18. As per claim 9, Christianson discloses the abstract request is formulated in a natural language and a natural language analyzer is employed to process the request [col 16, lines 36-col 17, lines 32].

19. As per claim 10, it is rejected for similar reasons as stated above in claim 1.

20. As per claim 11, it is rejected for similar reasons as stated above in claim 1. Furthermore, Christianson discloses program code elements [col 23, lines 66-col 24, lines 22].

21. As per claim 12, it is rejected for similar reasons as stated above in claim 7.

22. As per claim 13, Christianson discloses the local agent is preloaded and arranged to execute when the computer is booted [col 11, lines 39-43].

23. As per claim 14, it is program product claimed of claim 1, it is rejected for similar reasons as stated above in claim 1.

24. As per claim 15, it is program product claimed of claim 7, it is rejected for similar reason as stated above in claim 7.

25. As per claim 17, it is rejected for similar reasons as stated above in claims 1, 7, and 8. Furthermore, Christianson discloses a list server for providing a list of services and one or more rules applicable to said services [i.e. wrappers] [col 7, lines 45-55].

26. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

Art Unit: 2154

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


ZARNI MAUNG
PRIMARY EXAMINER